

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES JOHN O'SHEA,
Plaintiff,
v.
TUNG,
Defendant.

Case No. 23-cv-04209-TLT


ORDER OF DISMISSAL

Plaintiff, a person in detention at the Maguire Correctional Facility in San Mateo County proceeding *pro se*, filed a document with the Court on August 18, 2023, which the Court construed as an attempt to file a civil rights action. ECF 1. That same day, the Clerk of the Court informed plaintiff that this action was deficient because he had not submitted an application to proceed *in forma pauperis* or paid the filing fee. ECF 2. The Court informed plaintiff that he needed to correct the deficiency within twenty-eight days from the date of the notice to avoid dismissal of this action. *Id.* The deadline has passed, and plaintiff has not submitted the application to proceed *in forma pauperis* or paid the filing fee.

The Court therefore DISMISSES this action with prejudice. The Clerk shall terminate any pending motions, enter judgment for defendant, and close the file.

IT IS SO ORDERED.

Dated: October 30, 2023


TRINA L. THOMPSON
United States District Judge